

**19482. Misbranding of Beam rheumatism exterminator. U. S. v. 34 Bottles of Beam Rheumatism Exterminator. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27599. I. S. No. 45266. S. No. 5619.)**

Examination of the drug product, Beam rheumatism exterminator, disclosed no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed in the labeling. Therefore the product did not comply with all pure food and drug laws as guaranteed.

On December 31, 1931, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 34 bottles of the said Beam rheumatism exterminator, remaining in the original packages at Rock Island, Ill., alleging that the article had been shipped by the Beam Medicine Co., from Waterloo, Iowa, on or about October 20, 1931, and had been transported from the State of Iowa into the State of Illinois, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of Beam rheumatism exterminator by this department showed that the article consisted essentially of small proportions of sulphuric acid, sodium chloride, and extracts of plant drugs, including a laxative drug, and 98.3 per cent of water.

It was alleged in the libel that the article was misbranded in that the statement, "Guaranteed to comply with all pure food and drug laws throughout the United States," appearing on the carton and in the circular shipped with the article, was false and misleading. Misbranding was alleged for the further reason that the following statements appearing on the bottle and carton labels and in the accompanying circular, regarding the curative and therapeutic effects of the article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label) "Rheumatism Exterminator \* \* \* That destroys Uric Acid which is the cause of the following diseases: Dropsy, Neuritis, Lumbago, Gall Infection, Liver Trouble, Kidney Trouble, Run Down System, Stomach Trouble, Bright's Disease, Sciatic Rheumatism, Muscular Rheumatism, Inflammatory Rheumatism, \* \* \* To overcome Rheumatism of the feet requires a longer time than any other part of the body. As Rheumatism assumes so many different forms, no definite time can be given to eradicate it from the system, but one should note a difference the third or fourth week;" (carton) "Rheumatism Exterminator \* \* \* This medicine was formulated for the special purpose of destroying uric acid, it has proven to master this and even more; for thousands of people have been relieved with this medicine and to-day are rejoicing and telling their friends, encouraging them to use it. Dropsy, Neuritis, Lumbago, Gall Infection, Liver Trouble, Kidney Trouble, Run Down System, Stomach Trouble, Bright's Disease, Sciatic Rheumatism, Muscular Rheumatism, Inflammatory Rheumatism;" (notice entitled "Read The Slip Often") "If the person taking this medicine should experience pain or a griping or unpleasant feeling in the stomach, it is evident that you have ulcers or catarrh of the stomach. If so, the medicine will destroy them within ten days or two weeks, owing to how long standing. After using the medicine a few days and it begins to work on the uric acid that is secreted in the muscles and joints it makes you feel worse; it is the working of the medicine. Don't be alarmed and if the pain becomes unpleasant cut the doses to one-quarter teaspoonful for a few days, then gradually increase until you get back to one-half teaspoonful. But if you can take the required dose the quicker the results. It is very necessary to keep the bowels in good condition, keep the bowels moving twice a day, also a good physic once a week for three weeks. This is very necessary as it helps to carry off the poison as the medicine destroys it;" (circular) "We Want To Do Good Unto Others, As We Were Done By Good Deeds are More Valuable than Great Riches Our Motto: To Relieve the Suffering I want to take this opportunity to talk to every mother, who is the doctor in every home, for no matter what the trouble is, everyone always looks to mother for help. I have been placed in just the same position, so have you, and it was necessary for me to find the right medicine for my family, which consisted of five children. I lived on a farm north of Waterloo, Black Hawk County, and what I have found by using this medicine—if I could have only had this family remedy then, it would have saved us hundreds of dollars and the suffering that I myself experienced. Later, I became a nurse in Waterloo, Iowa, nursing for nine years and with this experience—together with the rearing of my family, if I could

have had an opportunity of being able to have this medicine in my home, at that time, how thankful I would have been. Having been a sufferer for several years of infection of the gall bladder, also kidney troubles which brought about rheumatism and neuritis until I was nearly helpless, on being advised to change climate and go to the mountains, but did not get the anticipated effect I had hoped for, getting weaker and weaker and the doctors there told me, as they did here, that there was nothing on record that would reach my troubles. This was very discouraging to me. In the midst of my meditations one morning there was a rap at the door. On answering it I found a stranger at the door and he said he was representing the Beam Medicine Co., that he had been sent there by one of my friends to recommend the Medicine to me. He gave an explanation of the Medicine which I was very favorably impressed with. As Mr. Hoover was not home, I invited him to call later, which he did. After making a very plain explanation to both of us, we decided we would give the Medicine a trial, for which we found to our satisfaction, great relief. This certainly gave us great Joy. It touched our hearts with sympathy for suffering humanity. \* \* \* The Beam Medicine has relieved me of suffering of thirty years standing of ulcers of the stomach. Also enlargement of the liver, gall attacks, kidney and bladder troubles which were very painful. These combinations caused gas to accumulate in the stomach and large bowel, forcing a heavy pressure against the heart, causing intense suffering at times. We were so impressed with the value of the Medicine that we looked it up from every angle. The more we searched, the more valuable we found the Medicine. We found so many that had given up all hope of relief that this Medicine has helped, they, too, are ever ready to praise the Medicine to the highest degree. \* \* \* Hundreds of men and women in Waterloo have obtained relief from the discovery of this wonderful formula, that has the healing power to reach so many common troubles and diseases that cause so much pain and suffering all over the Union. This medicine has established itself here in Waterloo, Iowa, by relieving those who were suffering, and they have recommended it to their friends not only in Waterloo but in other cities. \* \* \* High Blood Pressure The Beam Medicine will exterminate uric acid secreted anywhere in the human body. If it has drifted into the blood, causing a high blood pressure, headaches, dizziness, and short endurance, very little exertion causes throbbing and fluttering of the heart. The Beam Exterminator destroys the uric acid crystals that are in the blood, reducing the blood pressure, thus strengthening the heart. A general toning up of the entire digestive system usually follows the use of one or two bottles of this medicine. \* \* \* The working of this medicine is directly opposite, as it clears up the nerves, making them more sensitive to pain, causing the patient sometimes to fall back to taking smaller doses. This is a sure sign the medicine is working well and that you will be pleased with the result. Beam Medicine has the power to dissolve Uric Acid Crystals, which is the cause of 70 to 80 per cent of the troubles that are in the human body. \* \* \* Now, my friend, do you appreciate our efforts to relieve your suffering? If you have tried so many different medicines and failed, don't be discouraged—try once more. \* \* \* A medicine that costs \$2.00 per bottle sounds high-priced—it did to us, but after spending thousands of dollars in 18 years of suffering and getting no relief, after using the Beam Medicine between three and four months, it gave us perfect relief, after the doctor had said there was no medicine on record that would reach our cases. What were these four bottles worth to us? What would it be worth to you? \* \* \* We make the following claims that our Beam Medicine will relieve Dropsy, Neuritis, Lumbago, Gall Infection, Liver Trouble, Stomach Troubles, Ulcers of the Stomach, Bright's Disease, run down system, Sciatic Rheumatism, Muscular Rheumatism, Inflammatory Rheumatism. Also our medicine is clearing up a number of bad cases of Arthritis, high blood pressure and Paralytic troubles. Excess of uric acid is the cause of the above mentioned troubles, as a rule. \* \* \* 'I never expected to allow by name in print to a testimony, but after my mother and myself had tried so many different get-well-quick medicines and no relief, I was so disgusted I thought I would not try any more remedies, but my mother began taking the Beam Medicine of which I made sport of, but when she had taken it a while I did not make any more sport of it, but went to taking it myself, also went to giving it to my children. I had rheumatism, stomach and liver trouble and very nervous for years. Since my last babe was born, now 3 years old, I was a constant sufferer. The doctors failed to relieve me, I could not

rest of nights, had a poor appetite, my children inherited troubles more or less from me. The Beam Medicine is no joke; every drop of it is medicine; it is a wonderful medicine. I have never been so well since I was a girl, have gained in flesh and strength until life is a pleasure. My children feel fine, eat hearty, sleep well and romp all day. I never have seen my mother looking and feeling better than she is now.' \* \* \* Oh, What Relief—The Beam Medicine Is The Medicine Of All Medicine. 'I have a right to make this statement for nobody would know what it has done for me if I did not tell them, and so many others that I know was constant sufferers that had given up all hope of finding any relief as well as myself are praising the Beam Medicine. I suffered great pain and agony for 8 years. I tried so many different Medicines, and Doctors, and Specialists. Also took 150 Chiropractic treatments, was at the mineral springs different times. Mr. Colby and myself were so discouraged after spending hundreds of dollars, and 8 years of suffering, and still no relief. But looking over the Evening Courier I saw the Beam Medicine advertisement, after reading it I was so favorably impressed, I called my husband's attention to it, and he advised me to try the Medicine. I had a complication of troubles, caused by excess of uric acid poisoning my whole system, causing high blood pressure, headaches, and at times dizzy spells, and I would have aches and pains in the cords of my neck that would draw at times almost unbearable, had liver, gall, and kidney trouble, rheumatism, and arthritis. My limbs and feet were swollen so bad I had not been able to wear a pair of shoes for several months. I was in so much pain I could get but little sleep of nights. I finally concluded to try the Medicine and ordered a bottle. Mr. Hoover delivered it, and he told me I had a chronic case of long standing and where the arteries are affected circulation is poor and it would take longer time and more Medicine to reach my case, and that I could not expect perfect relief under 6 or 7 months, and he would not advise me to start on the Medicine, without expecting to stick to it until I would get satisfactory relief; that sometime the working of the medicine would cause me to feel worse, in such case to cut the size of the dose for a day or so, as instructions on each bottle. By so doing I would find great relief, that I certainly would Rejoice, yes,—and I still Rejoice. It took close to 6 bottles to reach all my troubles. I take this not only a pleasure, but a duty to let the suffering people know that they can get relief by using the Beam Medicine, and follow directions, and stick to it.' \* \* \* In ordinary and mild cases, 3 to 4 bottles of Beam Medicine will relieve the suffering. Use Mrs. Colby's motto—Stick To It And You Will Find Relief. We want to call the attention of every one who uses the Beam Medicine that they must not expect immediate relief until the Medicine has destroyed the uric acid crystals which are causing your trouble. Then you will find relief that you will be proud of and you will be ever ready to praise the Beam Medicine. \* \* \* What Is Life Without Health? \* \* \* 'I had liver and kidney trouble and rheumatism for thirteen years, could not get out of a chair without help and had to walk with a cane—after using 3 bottles of Beam Medicine I can take walks and climb steps—do all my own work and enjoy good health again. Also my two daughters were great sufferers of complications of different troubles that did seem that medicine had failed to do them any good. After using the Beam Medicine they found great relief. Words cannot express what it has done for them. It is a wonderful family medicine.' \* \* \* 'I was under the doctor's treatment for four years, constantly growing worse, with uric acid so bad in my system, it causing liver, gall and kidney trouble, also neuritis and tonsilitis and eczema. I could get but little rest of nights and suffered continually. After taking nearly four bottles of Beam Medicine I have received perfect relief. My heart goes out to others who are afflicted and need help. I certainly recommend Beam Medicine. You can't make a mistake by using it.' \* \* \* 'The Beam Medicine will destroy uric acid that has crystallized and secreted in the joints or muscles or any part of the body which is the cause of so many torturing diseases.' \* \* \* 'I was sick for more than three months, and was under the doctor's care all the while and growing worse every day, was in the hospital a while. After returning home I became much worse, suffering with inflammatory rheumatism and liver trouble; in fact I was suffering untold agony all over my body. Being advised by a friend who had used the Beam Medicine, also she spoke of others using it and had good results, for me to try it which I did and found it complete relief. It is with pleasure to me to recommend this

medicine to my suffering friends.' \* \* \* 'My little daughter, Dorothy June, had always been a delicate and sickly child, very peevish and fretful, always under the doctor's care until August, 1923, when the Beam Medicine was recommended to us, of which we purchased and used and are so thankful for it, and she is now a fine and healthy child. As for myself, having been a sufferer for a number of years with bad headaches and complications of troubles, gall and liver, also kidney troubles, rheumatism, I have found perfect relief in using the Beam Medicine and recommend it very highly as a family medicine.' \* \* \* There are hundreds of children that need this medicine and would derive great benefit from it. The longer you wait, the more medicine it will take to relieve your suffering. After reading this circular, and it is nothing you need, will you be so kind as to hand it to or send it to some suffering friend? They no doubt will appreciate your kindness; and we also thank you in advance for helping us to relieve the suffering."

On June 24, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19483. Misbranding of Dr. Carey's Lifetone prescription and Dr. Carey's Marshroot laxative pills. U. S. v. 77 Packages of Dr. Carey's Lifetone Prescription. Default decree of destruction entered. (F. & D. No. 27293. I. S. No. 47083. S. No. 5444.)**

Examination of a shipment of a number of packages of a drug product, known as Dr. Carey's Lifetone prescription, each package containing a sample of Dr. Carey's Marshroot laxative pills, showed that the articles contained no ingredients or combinations of ingredients capable of producing certain curative and therapeutic effects claimed in the statements appearing in the labeling.

On November 25, 1931, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 77 packages of Dr. Carey's Lifetone prescription, each package containing a sample package of Dr. Carey's Marshroot laxative pills, remaining in the original unbroken packages at Vicksburg, Miss. It was alleged in the libel that the articles had been shipped in interstate commerce by the Gallagher Drug Co., from Dayton, Ohio, to Vicksburg, Miss., on or about January 22, 1931, and that they were misbranded in violation of the food and drugs act as amended.

Analyses by this department of samples of the articles showed that Dr. Carey's Lifetone prescription consisted of pills containing ferrous carbonate, strychnine, zinc phosphide, and juniper oil; and that the Marshroot laxative pills contained aloe and podophyllum extract.

Misbranding of the articles was alleged in the libel for the reason that the following statements regarding the curative and therapeutic effects of the said articles were false and fraudulent: (Lifetone prescription, bottle) "Lifetone;" (carton) "Lifetone \* \* \* indicated in the treatment of General Debility, Weakness, Brain Fag and Weak Nerves \* \* \* after severe illness when the strength and vitality is low \* \* \* Lifetone \* \* \* quickly overcomes physical or mental exhaustion replacing that heavy dull and tired feeling with buoyancy and a desire for action \* \* \* Lifetone \* \* \* assist nature to rebuild the rundown nervous system restoring strength and enriching the blood;" (laxative pills, envelope) "Sufferers from Kidney or Bladder Troubles who are bothered with \* \* \* torpid liver."

On May 17, 1932, no claimant having appeared for the property, a decree was entered adjudging that the product should be condemned, and ordering that it be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19484. Adulteration and misbranding of fluidextract ergot. U. S. v. Fourteen 1-Pint Bottles of Fluidextract Ergot, U. S. P. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 28240. I. S. No. 48819. S. No. 6112.)**

Samples of fluidextract of ergot, taken from the interstate shipment involved in this action, were found to possess a potency of less than one-third that required by the United States Pharmacopoeia for the product. The article was represented to be a pharmacopoeial product, and bore labeled directions for dosage based on its purported potency, and because of its low potency